IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 27TH FEBRUARY 2007 / 8TH PHALGUNA 1928

Bail Appl..No. 1145 of 2007()

C.R. NO. 253/06 OF MAVELIKKARA EXCISE RANGE

PETITIONER/ACCUSED:

OMANAKKUTTAN @ KUTTACHAN, S/O.BHASKARAN,
KARUVELIKIZHAKKATHIL, ARUNNUTTIMANGALAM MURI,
VETTIYAR VILLAGE, MAVELIKKARA TALUK.

BY ADV. SRI.R.REJI
SMT.C.A.AJITHA SALAM

RESPONDENTS: COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, REPRESENTED BY THE
EXCISE INSPECTOR, MAVELIKKARA EXCISE RANGE.

BY PUBLIC PROSECUTOR SRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 1145 of 2007

DATED: 27th February 2007

O R D E R

Petitioner who is the accused in C.R. No. 253 of 2006 of Mavelikkara Excise Range for an offence punishable under Sec. 55 (a) of the Abkari Act for allegedly having been found in possession of 15 litres of rectified spirit on 6-12-2006, seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application submitting inter alia that the petitioner is an accused in three other cases involving similar nature.

3. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same date on which it is filed.

With the above observation this application is dismissed.

V.RAMKUMAR, JUDGE.

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